

NOV 27 2007

REMARKS

In the Office Action mailed 30 October 2007, the Examiner grouped claims 1 - 24 into two groups, Group I and Group II, as follows:

- I. Claims 1, 3-10, 14-16, 20 and 21 are said to be drawn to a first product, the nucleic acid sequence of SEQ ID NO: 1, transgenic plant cells and plants containing a nucleic acid construct comprising said nucleic acid sequence; and a method of making a transgenic plant cell or plant comprising introducing a nucleic acid construct containing said nucleic acid sequence into a plant cell or plant;
- II. Claims 2, 11-13, 17-19 and 22-24 are said to be drawn to second product, the nucleic acid sequence of SEQ ID NO: 2, transgenic plant cells and plants containing a nucleic acid construct comprising said nucleic acid sequence; and a method of making a transgenic plant cell or plant comprising introducing a nucleic acid construct containing said nucleic acid sequence into a plant cell or plant.

The Examiner stated that Groups I and II defined distinct inventions and required restriction to one of the two inventions. In response, the undersigned hereby elects Group I, without traverse; the claims of Group II have been canceled.

The undersigned believes that no fee is due. If, however, the Office does require a fee, please charge the fee to Deposit Account 50-2342. The undersigned would welcome a call at the number listed below if the Examiner has any questions or feels that a telephone conversation would otherwise advance prosecution of the application.

Respectfully submitted,

Date: 11/27/07

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